

**Appl. No.** : **10/070,266**  
**Filed** : **July 19, 2002**

## **SUMMARY OF INTERVIEW**

### Exhibits and/or Demonstrations

None

### Identification of Claims Discussed

Claim 1

### Identification of Prior Art Discussed

Weingardt U.S. 5,042,818

### Proposed Amendments

The Applicant's representative proposed amendments to further recite that eligibility for one or more features added to a base game are not limited to a particular value of a base bet, for example a maximum base bet, as disclosed in Weingardt.

### Results of Interview

Agreement was reached that additional variations of the base game in Weingardt are only available when the maximum base bet is made. The proposed further limitations had not previously been considered by the Examiner, so agreement was not reached as to the allowability of claims.

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### **REMARKS**

The Applicants would first like to thank Examiner Coburn for taking up the application previously handled by Examiner Skaarup and for extending the courtesy of a personal interview to the Applicant's representative, James W. Ausley, on February 13, 2006. In the personal interview, the disclosure of the Weingardt (U.S. Patent No. 5,042,818) reference was discussed along with proposed amendments to distinguish the subject application from the Weingardt reference. Agreement was reached as to certain differences between the subject invention and Weingardt disclosure, however Examiner Coburn had not previously considered these further limitations and agreement was not reached as to allowable claims.

As discussed in the interview, Weingardt '818 discloses a standard five card draw poker game based on a single deck. If a player stakes or wagers a maximum bet on the base 5 card game, they can elect to stake a further wager to gain access to a sixth or seventh card drawn from one or more additional decks. Weingardt further discloses additional variations of the base game, for example including playing of a six or seven card game. All of the variations of Weingardt are predicated on staking a maximum bet in the base five card game before the player can gain access to the further variation drawing from an additional deck.

Whereas in the subject application, eligibility for one or more features added to a base game is not predicated on only a single value or configuration of a base bet for the game, for example the maximum bet required by Weingardt. A further difference of the subject invention is that the additional bet or wager provides the player with eligibility for one or more features provided in addition to the base game. These features can include, for example the awarding of free games. The feature eligibility provided by the additional wager is also different from prior art games where an additional wager changes the pay table, for example by enabling additional paying combinations. It is also to be noted in the subject invention that the additional wager provides eligibility for one or more features but does not necessarily guarantee that the one or more additional features will be awarded.

Thus, the Applicant believes that neither Weingardt '818 nor the other art of record teaches or suggests the features of the subject application reciting:

"A gaming machine which includes

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a display including a plurality of display positions for displaying combinations of symbols;

a controller for controlling operation of the machine, the controller including a processor for processing data and displaying selected data on the display; and

a selector operable by a player of the machine for enabling the player to select at least one additional feature which can be added to a base game played on the machine such that a ~~first base bet configuration~~ provides eligibility for the base game alone and at least one other ~~bet configuration~~ provides eligibility for the base game enhanced with eligibility for the at least one additional feature, wherein the eligibility for the at least one additional feature is available for multiple values of the base bet." (Claim 1 as currently amended);

"A gaming machine which includes

a display including a plurality of display positions for displaying combinations of symbols;

a controller for controlling operation of the machine, the controller including a processor for processing data and displaying selected data on the display; and

a selector operable by a player of the machine for enabling the player to select at least one additional feature which can be added to a base game played on the machine such that a ~~first base bet configuration~~ provides eligibility for the base game alone and ~~at least one other bet configuration~~ additional credit staked provides eligibility for the base game enhanced with eligibility for the at least one additional feature, ~~an~~ the additional credit being staked by the player in order to be eligible for the at least one additional feature being a fixed amount multiplied by a bet wagered per line or per draw" (Claim 12 as currently amended);

"A gaming machine which includes

a display including a plurality of display positions for displaying combinations of symbols;

a controller for controlling operation of the machine, the controller including a processor for processing data and displaying selected data on the display; and

a plurality of selectors operable by a player of the machine for enabling the player, prior to making a base bet, to select a range of additional features to be added to a base game played on the machine to enable the player to tailor the game to the player's requirements, a first selection

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providing eligibility for the base game alone and at least one other selection providing eligibility for the base game enhanced with eligibility for at least one additional feature, wherein the eligibility for the at least one additional feature is not dependent on a single value of the base bet" (Claim 21 as currently amended).

In addition, the Applicant respectfully requests entrance of new claim 23 reciting:

"A gaming machine which includes

a display including a plurality of display positions for displaying combinations of symbols;

a controller for controlling operation of the machine, the controller including a processor for processing data and displaying selected data on the display, the gaming machine being arranged to play a game in which a player stakes a wager on the outcome of the game and, if a predetermined winning event occurs, the machine awards a prize, the game playable on the machine comprising a base game having a multiplicity of possible outcomes, at least one of the possible outcomes being a feature outcome, the feature outcome only being available to be awarded when a feature selecting wager has been staked on the base game; and

a selector operable by the player to enable the player to stake the feature selecting wager and thereby be eligible to be awarded the feature in the event of a feature outcome occurring in the base game," which the Applicant also believes is neither taught nor suggested by Weingardt or the other art of record.

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#### SUMMARY

From the forgoing, the Applicant believes that the subject application is now in a condition ready for allowance and respectfully requests prompt issuance of a Notice of Allowability. The Applicant believes that this paper is fully responsive to the rejections and objections made by the Examiner in the Office Action. However, should there remain any further impediments to the allowance of this application that might be resolved by a telephone conference, the Examiner is respectfully requested to contact the Applicant's undersigned representative at the indicated telephone number.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 8, 2006

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